

to the summons of her royal mistress.

It was the third night after her departure from Versailles, when the returned penitent stood, weary and faint, at her father's door-stone. All was dark in the cottage, for it was near midnight; the stars gathered thickly in the heavens, and shed a cold light on the vine which crept over the thatched roof—and the music of the passing brook fell soothingly on the wanderer's ear. "Thrice she raised her hand to knock at the rude door, but each time her courage failed her. She had eaten nothing that day; and her heart thrilled with a strange pleasure, as she gazed amid the dark leaves of the vine she had plucked fruit from in childhood, and satisfied her hunger with one of its purple clusters. With her heart full, almost to bursting, she laid her little hand down for a pillow, and stretching herself on the door-stone, slept calmly and sweetly, as she had not done for years—dreaming that the murmur of the river, yet, it gurgled by, was the hushing of her mother's voice.

Early in the morning there was a stir in the cottage. The old peasant had arisen to his daily labor, and his wife, an aged woman, broken down with grief and infirmity, was preparing the morning meal. It was a gloomy sight—that old couple sharing the labors of their deserted home, and consoling each other for the ingratitude of their children—children who had forsaken them in their old age; the one for ambition, the other for the arms of a stranger. The old man opened the door to go out, and there, upon the rough stepping-stone, lay his last-born, asleep. The rising sunbeams were streaming over her in a sheet of brilliancy, brightening her features and dawning the change years had made upon them; her dark lashes lay softly on her cheek, and a sweet, contented smile, like that of her infancy, was about her mouth. The joyful old man grew suddenly strong, and lifting her in his withered arms, bore her to her mother's bed. When the poor wanderer awoke, her hand was in that of her father—the tears of her mother were raining over her face, and her cheeks were warm with kisses.

Who will dare to say that there is no happiness for the penitent female?

When Marie Antoinette was brought to her shameful trial, among other charges, that of having artfully prevailed upon the Cardinal de Rohan to purchase an expensive necklace of diamonds, was brought against her. It was stated that she had paid the cardinal in bills bearing her signature, which she afterward pronounced forgeries, and had prevailed on Louis to banish the prelate for his share in the transaction. Madame Lamotte bent over the galleries, and listened to this base charge with an unmoved countenance; while the Marquis de Goussier sat calmly among the self-constituted judges, secure in his villainy—for Adelaide, the only witness of their guilt, and the queen's innocence, slept in an early grave, by the side of her parents.

## THE SPIRIT OF THE AGE.

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To check ACHILLES and to rescue THETIS.

FRIDAY MORNING, JAN. 29, 1841.

### DEBATE ON THE PUBLIC LANDS.

We give up a large portion of our columns this week to the debate on the public lands, developing as that debate does the policy of the federal party under the guidance of the heir apparent to the throne, whose course leaves no doubt as to that of the coming Administration—the attempted distribution of the proceeds of the Public Lands—thus abstracting from the revenue three millions to be supplied by taxes.

Mr. Benton's bill provides for a "permanent, prospective, pre-emption"—or, in other words, it proposes to give the right of first purchase to every actual settler upon the public lands. Equitable as this would seem to be, the whigs oppose it, because foreigners may thus become possessors of 160 acres of land, and by industry and perseverance eventually grow rich, educate their children, and acquire political distinction in the Republic. The Federalists think that such advantages belong exclusively to natives.

The ostensible ground assumed by Mr. Clay and his party, is mainly against the extending this right of pre-emption to emigrants from abroad, and that aliens should not be thus invited to settle among us. This they suppose must be the only plausible ground of opposition, but even this would not be ventured upon, were the election of Harrison now pending. The truth is, that this bill is likely to interfere with the contemplated mortgage of the public lands for the redemption of the State debts, as is shown by Mr. Crittenden's proposition by way of amendment to the pre-emption bill, to distribute the proceeds of the sales of the public lands among the several States.

Upon this amendment Mr. Benton remarked, that the proposition of the Senator from Kentucky was based on one which there was no difficulty in comprehending. But the Senate and the country, from the first of the present session, had been told of the existence of a national debt which that Senator and his friends affirmed did exist, but which he (Mr. Benton) and his friends denied. The Senator had his thanks, nevertheless, for coming forward with this proposition so openly; it was an intimation of the policy of the new Administration—of their intention to add to the national expenditures, to restrict the income of the country, and then to have recourse to a high tariff. He deemed this the opening up of the whole policy of the new Administration, and he was not willing to vote on it now, if they could decide against it by forty to one; he wished that policy to be laid open to the view of the people of the United States and he only rose now to thank the gentlemen for his declarations of yesterday and to-day—of yesterday, in favor of a National Bank, and to-day, on the subject of the land revenue, by which three or four millions would be directed from the national income, and would have to be made up by loans and taxes.

The gentlemen opposite had intimated their intention to detect and expose to the country, after the 4th of March next, a debt of twenty-seven and a half millions of dollars, and while they were met with the threatened odium of an extra session of Congress to supply a deficient revenue, here came a proposition to take off three and a half millions on which reliance was placed to carry on the Government. He thanked the Senator for showing his hand so openly, and for the intimation that the new Administration was to commence at once the creation of a national debt, by subtracting from the revenue, with the re-establishment of that state of things by which the commerce of the country was loaded down by taxation; and that was to be followed up by the establishment of a Bank, to exercise an influence all over the country. He would tell the honorable Senator that a new National Bank could not be created without a National Debt, whose stock must be sold to make the capital for the Banks; he would tell the Senator from Kentucky he could not move an inch towards a new National Bank without the creation of a National Debt. He hoped, however, that his friends would put off measures of this kind to that called session to which they had been notified on that floor; for he informed gentlemen if they diverted the land revenue, and went beyond the current income, they would have to come together, which he (Mr. B.) should do all he could to prevent, and he should do that by doing all he could to prevent the expenditures exceeding the estimates—by preventing the appropriations going beyond the current revenue. Let the Administration call Congress together to make good the deficiency in the revenue occasioned by their own extravagant expenditures, and he (Mr. Benton) would thank them for the day on which they issued their proclamation.

Mr. Calhoun expressed himself as decidedly against any discrimination to the disadvantage of foreigners; he was willing to concede to them every right compatible with the laws of the States within which the lands are occupied and improved by them.

Mr. C. seems determined to bring forward his land bill which he introduced about a year ago in opposition to that of Mr. Clay. This bill proposes that the public lands lying within the States of Alabama, Mississippi, Louisiana, Arkansas, Missouri, Illinois, Michigan, Ohio, and Indiana, excepting sites for certain public buildings, shall be ceded to the States within which they lie, after the 20th of June, 1842, those States paying, as they dispose of the property to settlers, one half the gross proceeds over to the United States regularly in February of each year; the cession to be in full of the 5 per cent. fund, or any part of it; the States to be liable for all surveys, extinguishment of Indian titles, &c. The States are to pass irrevocable laws that they will pay to the United States annually, fifty per cent. of the gross amount of sales;—that the prices shall be regulated according to the provisions of the bill;—that the lands shall be subject to the same legal subdivisions in the sale and survey, as is now provided by law;—the same reservations in each township;—that they shall be sold for cash only;—that the cession shall be in full of the five per cent. fund or any part thereof not already acceded to any State; (this amount now accrues to the new States by compact as an equivalent for the right of taxation and for making roads,) and the States are to be exclusively liable for all charges that may hereafter arise from the surveys, sales, and management of the public lands and extinguishment of the Indian title, within the limits of those States respectively.

Mr. Calhoun's bill also provides that at every reduction in the price of lands according to the graduating process of the bill, the legislatures of the several States in which they lie, shall at their discretion grant the rights of pre-emption to settlers under certain regulations. The Committee on Public Lands a few days ago, in their report, favored this measure, and argued that it would diminish the patronage of the General Government—lessen the business and expenses of Congress—place the new States on a footing with the old, which have the exclusive management of the public domain within their territories—break the degrading dependence in this particular of the new States upon the Federal Government, and prevent the careless bickering between the old and new States which sometimes wear so serious an aspect.

Mr. Linn proposes to devote the proceeds of the sales of public lands to the maintenance of the public defence in the Navy and Army.

There are great diversities of opinion among the Republicans upon this great question, but the proposition of Mr. Clay, which is to distribute even the gross proceeds, leaving the people to pay duties to meet the expenses of administering the lands which will in all probability be more than one half the gross amount of sales, is the worst possible one. It is a direct violation of the deed of cession to the United States. Gov. Grayson, of Maryland, in his late message, alludes to this subject. His remarks cover the whole ground, and will give a clear insight into the question:

At the commencement of the revolutionary war, Virginia, New York, Massachusetts, South and North Carolina, Georgia and Connecticut, severally claimed such portions of the Western country as were included in their respective limits; and subsequently, ceded them to the United States for the common benefit of the Union. Previous to the cession, Congress had given a pledge, "that the unappropriated lands, which might be ceded or relinquished to the United States, by any particular State, should be disposed of for the common benefit of the United States, and be settled and formed into distinct Republican States."

The cessions were accordingly made; and it was stipulated in the Virginia deed that the land ceded should be considered a common fund for the use and benefit of such of the U. S. as have become, or shall become, members of the confederation, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever."

The deeds from North Carolina and Georgia, contain the same conditions as that of Virginia; while the other States relinquished their titles, in more general terms, for the common benefit of the Union. When the cession was made by Virginia, Congress had no power to lay and collect taxes, duties and imposts; but was obliged to depend upon the State governments, for their respective proportions of the general charge and expenditure."

The public lands, in yielding a revenue to the General Government, relieved the States, to the same extent, from their respective proportions of the general charge, and formed a common fund for the benefit of all the members of the confederation, according to the obvious meaning of the Virginia deed.

To consider the United States as having no other right to the Western Territory, besides that which was derived from the deeds of cession, is to place the subject in a point of view, the most favorable to the claims recently set up in behalf of the States. But to understand the question properly, it is necessary to consider the prior claims of the United States; and also the circumstances under which Virginia and other States relinquished their titles.

From the earliest settlement of the colonies, controversies existed among them, respecting their territorial limits; which interfered with each other on the Atlantic coast, with the pretensions of France and Spain, in running westwardly to the Mississippi river and the South Sea. By the treaty of 1763, the western claims of Great Britain were limited to the Mississippi; and the extensive territory, claimed by France, to the Eastward of that river, was ceded to the British Crown. After the declaration of independence, it was contended by some of the States, particularly Rhode Island, New Jersey, Delaware and Maryland, that the Crown lands, "if wrested from the common enemy by the blood and treasure of the thirteen States, ought to be deemed a common property, subject to the disposition of Congress, for the general good."

Maryland protested against the exclusive claims of the large States, and insisted that the territory, under the British Crown, and ceded to by the treaty of Paris, should be considered a common property, subject to be parcelled out by Congress into free, convenient, and independent States."

The large States differed among themselves, as to their respective limits, and each claimed a larger portion of territory than the rest were willing to allow. The claims of the Union were derived from the conquest of the disputed territory by means of the common force, and from the treaty of peace, under which all the rights of Great Britain, both in the soil and jurisdiction, passed to the U. S. This subject was a source of constant irritation, and threatened a dissolution of the Federal alliance. At length Virginia, New York, and other States, which claimed the Western lands, successively relinquished their titles for the common benefit of the Union.

Whatever might have been the uncertainty of these conflicting claims, there can be no doubt, that, after the relinquishment of the State titles, they were all vested in the U. S., on the conditions expressed in the deeds of cession; which, being accepted, formed a compact between the General Government and the States. The ceding States relinquished a portion of disputed territory, which they could not have retained without dissolving the Union, nor defended with their separate force. All the States secured the benefit of having a common fund provided, for discharging the debt and defraying the expenses of the General Government; and for relieving themselves, to the extent of that fund, from "their respective proportions of the general charge and expenditure."

The United States were bound to indemnify the States for expenses properly incurred; and were obliged to purchase the Indian titles, and make large preliminary expenditures, before the lands could be sold; and, if they were not entitled to the proceeds of sales, they assumed all the burdens of the compact, without deriving a single advantage from it. The States, however, evidently intended that the Territory, and the revenue arising from it, should be surrendered to the United States, as a common fund, for paying the general charge and expenditure; or, in other words, for discharging the debts and defraying the expenses of the General Government. In none of the deeds of cession to the separate use of the different members of the Union; or any stipulation, that it should be applied exclusively to the payment of the public debt; or the slightest intimation, that it was to be distributed among the States for any purpose whatever.

The fourth article of the Constitution recognises the territory as belonging to the United States. Mr. Madison, in the 35th number of the Federalist, alludes to this territory "as a mine of vast wealth to the United States;" and remarks, that "a very large portion of this fund has already been surrendered by the States." He then expresses his hope that the remaining States will give similar proof of their equity and generosity, and that the whole territory will soon become "a National stock." The remaining States subsequently relinquished their claims, and the whole fund was surrendered to the Union.

Judge Marshall, in delivering the opinion of the Supreme Court in the case of Johnson vs. McIntosh, declares, that "the States ceded that territory, generally, to the United States, on conditions expressed in the deeds of cession, which demonstrate the opinion, that they ceded the soil as well as jurisdiction, and, that in doing so they granted a productive fund to the government of the Union."

It was granted, that the States were bound by the articles of confederation, to levy taxes for their respective proportions of "all charges of war, and all other expenses incurred for the common defence and general welfare." Whether these taxes were laid by Congress or the States, they were to be paid by the people of the States; and it was equally important, in either case, to convert the public lands into a permanent fund for paying the debts and expenses of the Union; which must otherwise have been provided for by oppressive taxes and imposts.

The following is the call for this celebrated meeting of "the citizens of Woodstock, Vt.," which we copy from the *Mercury*, the federal paper in this place:

NOTICE.  
\* \* \* \* \* The WHIG CITIZENS in the village of Woodstock and vicinity, are requested to assemble at the Town Hall in this village, on Saturday the 9th inst., at 3 o'clock P. M. to recommend a successor to the present incumbent in the Post Office. A general attendance is requested.

Woodstock, Jan'y 8, 1841.

This call, it will be seen, was published on the 8th, and the meeting was on the 9th, one whole day's notice!

When we take into consideration that the paper containing the call was not circulated, as usual, even among the whig citizens on the day before the meeting; that the expression in favor of Mr. Eaton was that of a clique, one half of whom have as little business to transact through the post office as they have through the moon; that there is now scarcely a leading gentlemanly whig in the place who approves of the manner in which it was brought about, we may safely conclude that the result was no very significant expression of public opinion.

We ought perhaps to state, that after the meeting was convened, a vote was passed to allow all, who were present, to participate in its deliberations; some half dozen, perhaps, of the democrats voted. We ought also to state that a large majority of the respectable whigs, after the first ballot, and the clique began to bring in their negroes and other dependants to carry the election, left the house in disgust, and of the votes between FIVE and SIX HUNDRED people, who transact business at the office, Mr. Eaton received about NINETY, and had a majority!

WHAT THE BRITISH THINK.

The following is from a London paper: "The election of General Harrison to the Presidency of the United States is an event deeply interesting to England."

"Mr. Van Buren was the deadly enemy of Great Britain. He stimulated the various crusades against paper money. He headed the conspiracies that were formed for the purpose of defrauding English creditors out of the debts due to them by America. He was the abettor of treason in Canada. He prompted resistance to the just claims of England in reference to the Northeastern Boundary Question."

"The sympathies of General Harrison point, we believe, in a direction to the reverse of that to which the prejudices of Mr. Van Buren inclined."

"The election of Gen. Harrison is, in short, a result on which England may congratulate herself."

This is no doubt the real feeling of the British on the subject of the result of the late canvass.

### ELECTION OF RIVES.

The Legislature of Virginia in direct violation of the popular will of that State, elected on Monday last, after the labor of two years, Wm. C. Rives, the traitor, to the Senate of the United States. The vote in the Senate stood

For Wm. C. Rives	16
"John A. Mason	13
"J. McDowell	2
"John Robertson	1
In the House, for	
Wm. C. Rives	69
John A. Mason	33
James McDowell	2
Seattering	28

85 out of 164—being 6 more than a majority of the members present. Louisiana was not represented on the floor; and the Democratic Delegate from Pochontas was absent; and had Louisiana been duly represented, according to the sense of her citizens the Impracticable Whigs upon the floor would have entirely defeated his election.

The Legislature of Indiana has passed joint resolutions, recommending that the Constitution be so amended as to render a President of the United States ineligible for a re-election.

EDWARD KENT has been elected Governor of Maine, by the legislature of that state. The duty of the House was to select two of the four highest candidates voted for by the people, one of whom was to be chosen by the Senate. The vote stood, in the House, Fairfield, 169; Kent, 164; Hamlin, 9; Smith, 8. In the Senate—Fairfield, 8; Kent, 16.

The Boston papers announce the election by the members of the Legislature, of the Hon. Isaac C. Bates, of Northampton, for the office of Senator of the United States, in the place of Governor John Davis resigned.

Ex-Governor Bunnells (Fed.) is elected to the Legislature from Hinds county, (Miss.) to fill the vacancy occasioned by the resignation of John Jenkins, (Dem.)

Thomas Clayton and Richard H. Bayard have been elected U. S. Senators by the Legislature of Delaware. They belong to the federal party.

One of the best democratic papers in the country is "The Spirit of the Age," published at Woodstock, Vt. It is ably edited, beautifully printed, and well supported. Nothing better, Major, can be said of any paper.—*Concord, (Ms.) Freeman.*

The same to yourself, back again, friend Gourgas. We know of no better, in the country than the *Concord Freeman*. It has lately made its appearance in a new dress, and in every way does great credit to its talented conductor.

We have had the pleasure of beholding from our editorial observatory, the *N. Y. Planet*, once more. It shines with new lustre, and a splendor that makes our poor vision ache. "Shine on," &c.

For proposals for carrying the mails, see last page.

J. M. Field, is the author of those unique, rambling lectures, signed "Straws," published in the *Picayune*.

L. R. Streeter, Esq. has commenced the publication of the *Richmond weekly Star*, which is made up of the daily. It is a rare sheet for p-h-u-n. Streeter is a witty fellow and has cut up only one mean caper since we have known him, and that is, undertaking to bluff us off with this same weekly of his, for an exchange. That's what we call—no matter! We'll set you up, my boy.

The citizens of Woodstock, Vt., held a public meeting at the Town Hall on the 9th inst., and by ballot made choice of Joel Eaton, as a suitable person to be recommended as the successor of Gilbert A. Grant, the present incumbent of the post office in that place.—*Boston Post.*

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## RELICS OF ANCIENT AMERICAN POETRY.

LEUTENANT CARTER'S SON. The United States Gazette, a few days since, gave some stanzas from an old poem, in which is narrated the lamentable fate of

"Leutenant Carter's only son,"  
A likely youth high twenty-one,  
Which we only notice to express our astonishment that a gentleman of Mr. Chandler's learning should have been imposed upon by a spurious version of a story so famous, and to preserve the memory of the brave though unfortunate young man alluded to from injustice. The Gazette says—

"He went on to the mounting high—  
A rattlesnake he did spy;  
And all at once he then did feel  
That pizen critter bite his heel."

Now this is an entire misrepresentation of the facts. "Leutenant Carter's only son" did not "go on to the mounting high"—"a rattlesnake he did not spy," (if he had seen the snake, of course he would have kept it at a proper distance)—no, the true version of the story, which we copy from the earliest edition, is as follows, and we call upon the editor of the Gazette to mark its superior beauties:

"One day this young man did go  
Dow in the meadow, for to mow;  
But he had not mow'd half round the field,  
When a pesky varmint bit his heel."

The lines as we have given them have an air of consistency which renders any other garbling of their genuineness unnecessary.

"The poet continues (says the Gazette) by describing the peculiar conduct of the victim after he had been bitten. As he went home

"Crying aloud, all as he went  
Oh cruel, cruel snake-bit!"

Here we are grieved to say, is another unfortunate error, which would represent the hero of an epic in the light of a whining, scolding boy. But we have the satisfaction of knowing that young Mr. Carter bore himself on the occasion more like the son of a Leutenant—

"For when he felt this varmint bite,  
He raised his scythe with all his might,  
And fetc'd such a deadly blow,  
That soon he laid the serpent low."

And then, when hed thus, like a brave knight,  
slain his enemy, like a true one, he proceeded to lay the spoils which his prowess had won at the feet of his "slay'de love." So

"He took the serpent in his hands  
And straightway went to Deacon Brand's;  
Saying Molly Brand, it's here you see  
The pizen creature that bit me!"

We would give Molly's answer, if the remainder of the story was not unfortunately "torn off."

We copy the preceding from the *Boston Post*, and with some reluctance, feel called upon to say that our esteemed friend Greene seems to know as little of the "story so famous" as Mr. Chandler, whose learning he has called in question with an air so self-satisfied and professor-like.

We have no desire to create the least rival in the breast of our contemporaries, nor shall we feel the least possible exultation to see antagonists so justly renowned and celebrated, hide their diminished heads in our presence, but we have, after much solicitation from our friends—for we are very modest ourselves and care not a rush for fame—concluded to announce to the public that the celebrated ballad, over which the dust of time has been creeping for years, is in our possession, that we know it "by heart," and can sing it too, when we are

—alone and unnoticed by all.  
Now, the celebrated "Springfield Mounting," which overlooks the plain upon which was enacted the heart-rending scene, out of which some bard whose name—the common lot of genius—has long slumbered in oblivion, has woven one of the most simply-pathetic and exquisite ballads, which the ravages of time has in vain attempted to destroy, lieth southward of us, in this state, only about thirty miles. It is called Skethawague (sketchawag) is near the residence of the late Gen. Morris, celebrated for having given the election to Thomas Jefferson, &c. still lifts its proud head towards heaven, with the consciousness of having been celebrated in deathless song, and as if endeavoring to rescue from oblivion one of the grandest relics of human genius.

But we beg pardon of our readers for having kept them so long from the rare treat which follows.—We assure the public that the version of the ballad which we give, is the true and literal one, on the truth of which assertion we stake our literary fame and editorial honor, against the world.

### LEUTENANT CARTER'S ONLY SON.

New Springfield Mounting there did dwell,  
A comely youth, I knew him well.

Leutenant Carter's only son,  
His father's pride, high twenty-one.

One day this young man did go,  
Down to the meadows, for to mow.

He had not mow'd half round the field,  
When a pesky serpent bit his heel.

And when he felt the varmint bite,  
He raised his scythe, with all his might,

And fetc'd such a deadly blow,  
As quickly laid the creature low.

He took the serpent in his hand,  
And straightway went to Molly Brand.

Saying Molly, Molly, here you see,  
The pizen serpent which bit me.

Now Molly had a rosy lip,  
With which she did the pizen sip.

But Molly had a rotten tooth—  
And quickly pizen'd were they both.

They laid them down upon the bed,  
Where they both quickly did-died.

Their bodies were all speckled o'er,  
With the colours which the serpent bore.

When this young man gave up the ghost,  
To Abra'm's bosom he went post.

A crying loud as up he went,  
Oh! cruel, cruel snake-bit.

We see that the *New York Mirror* publishes HUGH MOORE'S "Old Winter is coming," credited to Miss Gould. It is not surprising that a common country editor should commit so great an error, but that Gen. MORRIS—the most popular song writer of the day—should do so, is wicked.

It is beyond the reach of praise or censure, and whether the praise that is his due be accorded to him or to another is of little moment to "the dull, cold ear of death;" yet, he has left many friends in the Mountain State, among whose green hills his best songs were written, who would not that the dead should be wantonly robbed.

Gen. Morris, with the true feeling of a poet, will do a brother justice.

The Devil and Tom Walker are preferred to Shakespeare and Bulwer! (in Rochester, N. Y.) *Western Herald.*

Glad to hear that the publishers of the *Heald* are so popular.

PATRIOTISM.—Travelling twenty-five miles to a Convention and spending ten dollars to get a friend nominated for some petty office.